

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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FAIR HOUSING IN HUNTINGTON COMMITTEE,  
HUNTINGTON BRANCH NAACP, BERNARD  
PEYTON, ATHENA HAWKINS, LYNDIA JOHN,  
and IAN JOHN,

Case No.: CV 02 2787  
(DRH)  
(WHW)

Plaintiffs,

**NOTICE OF MOTION**

- against -

(Return Date: May 3, 2006)

THE TOWN OF HUNTINGTON, NEW YORK,  
TOWN BOARD OF THE TOWN OF HUNTINGTON,  
and TOWN OF HUNTINGTON PLANNING BOARD,

Defendants.

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S I R S :

PLEASE TAKE NOTICE, that upon the accompanying memorandum of law, the affidavit of James G. Ryan, sworn to March 22, 2006, and the exhibits appended thereto and all prior proceedings had herein, a motion will be made to this Court before the Honorable Denis R. Hurley, to be held at the Courthouse located at Federal Plaza, Central Islip, New York on the 3<sup>rd</sup> day of May, 2006, at 9:30 o'clock in the forenoon on that day or as soon thereafter as counsel can be heard, for an order dismissing the complaint pursuant to Fed. R. Civ. P. 12(b) (7) and 12(c), and for such other and further relief as this Court may deem appropriate.

Dated: Garden City, New York  
March 22, 2006

Yours, etc.

CULLEN AND DYKMAN LLP

By: /s/ James G. Ryan  
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- and -

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